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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/806,178	03/23/2004	Makoto Toyota	P24997.US0412.dc	2011
7055 7590 05/17/2007 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			EXAMINER A, MINH D	
			ART UNIT 2821	PAPER NUMBER
			NOTIFICATION DATE 05/17/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/806,178	Applicant(s) TOYOTA ET AL.	
	Examiner Minh D. A	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-9 and 13-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-9 and 13-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 4-9, 13-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 4-9, 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding independent claims 4-6, the phrase "a plurality of different **exchangeable** illumination heads having a different rated currents" renders the claims indefinite because they are unclear whether the limitation(s) following the phrase are part of the claimed invention. The term "exchangeable" would means "can return or can

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substitution or can replacement or can switch as show at <http://www.allwords.com>".

Therefore, applicant acts as his or her own lexicographer to specifically define a term of a claim contrary to its ordinary meaning, the written description must clearly redefine the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so redefine that claim term. *Process Control Corp. v. HydReclaim Corp.*, 190 F.3d 1350, 1357, 52 USPQ2d 1029, 1033 (Fed. Cir. 1999). The term "exexchangeable" in independent claims 4-6 are used by the claim to mean "can return", while the accepted meaning is "can substitution", while the accepted meaning is "can replacement", while the accepted meaning is "can switch". The term is indefinite because the specification does not clearly redefine the term.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 4-9 and 13-15 are rejected as the best understood under 35 U.S.C. 102(e) as being anticipated by Dygert (US 6, 864, 641).

Regarding claim 4, Dygert discloses, figures 3-4, a method and apparatus for controlling light emitting diodes comprising: a power source device (DC and DC/DC

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converter) comprising a current controller (booster and current regulating circuit (104)) for controlling a rated current to a plurality of different exchangeable illumination heads (102) having different rated currents (the current regulating circuit (104) for controlling the intensity of LEDS based on the duty ratio of voltage level of the input signals, col.3, lines 20-37), connected to the power source device, and comprising (boost regulator (304)) that detects current flowing through a power supply circuit, at least one light emitting device (102) being connected to the power supply circuit in the illumination head, wherein a resistance value of the current detection resistor (R20-R22) is selected so as to cause a voltage drop equal to a predetermined reference potential when a rated current is supplied to each light emitting device, and the current controller controls (amplifier) the supplied current such that a potential for the voltage drop caused in the current detection resistor (R19-R22) are equal to the predetermined reference potential and constant voltage (see amplifier(39) having constant voltage source)(V_r) is output from the current detection resistor for each of a plurality of illumination heads with different rated current. See figures 1-4, col.3, lines 12-67 to col.5, lines 1-67.

Regarding claim 5, Dygert discloses at least one light emitting device (102) connected to a power supply circuit and a current detection resistor that detects a current flowing in the power supply circuit, a resistance value of the current detection resistor being selected so as to cause a voltage drop equal to a predetermined reference potential when a rated current is supplied to each light emitting device, an output terminal that outputs a voltage drop across the current detection resistor, wherein the illumination head is connectable to a power source device configured to supply a

rated current to a plurality of different exchangeable illumination heads having rated currents (a constant voltage source)(V_r) is output from the current detection resistor for each of a plurality of illumination heads with different rated current. See figures 1-4, col.3, lines 12-67 to col.5, lines 1-67) .

Regarding claim 6, Dygert discloses, figures 1-4, a power source device that supplies power to an illumination head, comprising'. a current controller (104) and an input terminal; wherein the illumination head includes a current detection resistor that detects a current flowing to a power supply circuit in which at least one light emitting device is connected, a resistance value of the current detection resistor being selected so as to cause a voltage drop equal to a predetermined reference potential when a rated current is supplied to each light emitting device, and wherein the current controller is disposed such that a potential of the voltage drop caused in the current detection resistor is equal to the predetermined reference potential when the illuminating head is connected to the power source device and a constant voltage source is output from the current detection resistor for each of a plurality of exchangeable illumination heads with different rated current. See figures 1-4, col.3, lines 12-67 to col.6, lines 1-67 .

Regarding claims 7-9, Dygest discloses a supplied current is controlled to be a rated current of the illumination head when the illumination head is connected to the power source device. See figures 1-4.

Regarding claims 13-15, Dygest discloses a table on col.7, lines 1-26, wherein a constant voltage is output from the current detection resistor for each of a plurality of illumination heads with different rated currents.

Response to Arguments

8. Applicant's arguments filed 2/16/07 have been fully considered but they are not persuasive.

The amendment filed on 2/16/07 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added the power source device is configured to supply a rated current to a plurality of different "exchangeable" illumination heads having different rated currents, comprising a current controller an input terminal which is not supported by the original disclosure is as follows:

Regarding claims independent claims 4-6, the limitations recited "a power the source device is configured to supply a rated current to a plurality of different **exchangeable** illumination heads having different rated currents" The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

9. Applicant is required to cancel the new matter in the reply to this Office Action.

Conclusion

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10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Citation of relevant prior art

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Haller (US 6,485,112) and Okawa et al (US 6,157,160) are cited to show a lighting control system.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dieu A whose telephone number is (571) 272-1817. The examiner can normally be reached on M-F (5:30 AM-2: 45 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Owens Douglas W can be reached on (571) 272-1662. The

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fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner

Minh A

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5/4/07

shih-chao chen
SHIH-CHAO CHEN
PRIMARY EXAMINER